

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JOE ANDREW SALAZAR,

Plaintiff,

v.

AT&T MOBILITY LLC,
SPRINT/UNITED MANAGEMENT
COMPANY, T-MOBILE USA, INC., and
CELLCO PARTNERSHIP, INC.
d/b/a VERIZON WIRELESS,

Defendants

and

HTC CORPORATION and HTC AMERICA,
INC.,

Intervenor-Defendants.

Civil Action No. 2:20-CV-00004-JRG

JURY TRIAL DEMANDED

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO TAKE THE
DEPOSITION OF CHRIS BAKEWELL OUTSIDE OF THE DISCOVERY PERIOD**

Defendants AT&T Mobility LLC, Sprint/United Management Company, T-Mobile USA, Inc., and Cellco Partnership d/b/a Verizon Wireless, HTC Corporation, and HTC America, Inc. (collectively, "Defendants") respectfully move for leave to allow Plaintiff Joe Andrew Salazar to take the deposition of Chris Bakewell, Defendants' damages expert, outside of the discovery period. Plaintiff Joe Andrew Salazar does not oppose this motion.

Under the Court's Third Docket Control Order (Dkt. 125), the deadline to complete expert discovery is Monday, November 2, 2020. Expert reports of the respective parties' damages expert have been exchanged. Defendants are taking the deposition of Dennis Giuffre on Thursday, October 29, 2020. Chris Bakewell, Defendants' damages expert, is an expert in the

ongoing trial *VirnetX Inc. et al. v. Apple Inc.*, Case No. 6:12-cv-00855-RWS, currently being tried before Judge Robert W. Schroder III in the Tyler Division of the Eastern District of Texas. To allow Mr. Bakewell to complete his trial testimony and to accommodate the schedule of counsel, the parties, subject to the Court's approval, have tentatively scheduled Mr. Bakewell's deposition for Thursday, November 5, 2020, three (3) days after the close of expert discovery.

The requested relief does not affect any hearing deadlines or the trial date. The requested relief is not sought for purposes of delay but to allow for the parties to obtain testimony relevant to this case on a date that is mutually convenient for Mr. Bakewell and the parties' counsel.

Accordingly, Defendants AT&T Mobility LLC, Sprint/United Management Company, T-Mobile USA, Inc., and Cellco Partnership d/b/a Verizon Wireless, HTC Corporation, and HTC America, Inc. respectfully requests that the Court grant its Motion for Leave to Take the Deposition of Chris Bakewell Outside of the Discovery Period.

Dated: October 28, 2020

Respectfully submitted,

/s/ Harry L. Gillam, Jr.

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*Attorneys for Defendants and
Intervenor-Defendants*

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 28th day of October, 2020, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Harry L. Gillam, Jr.
Harry L. Gillam, Jr.